

Remarks

Withdrawal of the outstanding rejections and allowance of the above-identified application, in consideration of this submission, is respectfully requested. Several revisions were implemented in the Specification to correct discovered informalities therein. Acceptance/formal entry therefor of the same is respectfully requested.

By the above made amendments, also, claims 1-26 are now pending of which claims 1, 10-12 and 14 were amended and claims 27-30 are newly presented. The amendments to independent claims 1 and 14 were made to effect further clarification of the subject matter covered by the claims. The revisions to dependent claims 10-12 are strictly of a minor formal nature.

The invention is a method of providing an announcement in a communications network, the method comprising: setting up a first level communications session for a first network element; determining, by the communications network, that an announcement is to be played to the first network element; sending an identity of a second network element which is to play the announcement on the first level communication session to the first network element; setting up a second level communication session based on parameters in accordance with the transmitted identity including initiating modification of communication channel parameters based on the identity of the second network element; and playing the announcement to the first network element (see claim 1). Dependent claims 2-13 further define the particularities of the invention according to base claim 1. For example, the "transmitted identity" may be an IP (Internet Protocol) address or may be a port number or a TA (Transport Address). The "communication session" may comprise a PDP (Packet Data Control) Context and,

further, the "network element" may be a MS (Mobile Station). In accordance with a further aspect, the referred to parameters in claim 1 are comprised of filtering information.

According to independent claim 14 and the corresponding dependent claims thereof, the invention therein is a program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform a method of providing an announcement in a communications network. The method comprising the featured aspects include that set forth in base claim 1. The dependent claims further define the particularities thereof similarly as that with regard to the dependent claims 2-13.

According to the newly presented independent claim 27, the invention therein is particularly directed to a mobile terminal such as for a communications network, the mobile terminal being configured such that for an originating call it is responded to by an announcement from another network element in accordance with a procedure somewhat similar to that set forth in claim 1. With regard to newly presented independent claim 28 and the dependent claims 29-30 thereof, further, the invention therein is particularly directed to a network element which plays the announcement to the, for example, mobile terminal, the network element may be a CSCF (Call State Control Function-Support) equipment such as discussed in connection with the Fig. 8 example embodiment, described beginning on page 18, line 3, of the Specification.

According to the outstanding Office Action, claims 1, 2, 4-10, 13-15, 17-23 and 26 stand rejected under 35 USC §102(e) as anticipated by Kreppel (USP 6,574,201); and claims 3, 11-12, 16, 24 and 25 stand rejected under 35 USC §103(a) over the combination of Kreppel, *supra*, in view of Widegren et al (USP 6,621,793). As will be shown, hereinbelow, the invention according to claims 1-13

and claims 14-26 and, likewise, according to new claims 27-30 was neither disclosed nor suggested from Kreppel and, moreover, the invention also could not have been realizable even over the combined teachings of Kreppel and Widegren et al. Therefore, insofar as presently applicable, these rejections are traversed and reconsideration and withdrawal of the same is respectfully requested.

The present invention is particularly directed to a technique for providing announcements in connection with terminal originated calls of a network such as with regard to mobile terminal originated calls. In this regard, the signaling exchanged by the application layer in the MS (Mobile Station) is arranged in accordance with procedure/messages that need to be executed by the transport levels in the MS (Mobile Station) and in the network in order to set up, for example, IP (Internet Protocol) multi-media calls. For a mobile station originated call which is to be responded to by an announcement, the calling MS (i.e., Mobile Station/Mobile Terminal) is informed of the transport address of the node which will play the announcement and the MS (Mobile Station) then initiates a second level communication session, for example, a modification of communication channel parameters such as a PDP Context modification procedure to set the TFT (Traffic Flow Template) on the basis of the TA (Transport Address) of the node.

An example method according to the present invention can be seen with regard to the showings in Fig. 8 of the drawings, although not limited thereto, which shows a technique for providing announcements in mobile-originated calls. With regard to step 1, a setup message is sent from an MS (Mobile Station/Mobile Terminal) to a peer such as another MS (Mobile Station/Mobile Terminal) of the network. The setup message is intercepted by the network which has been instructed to forward an announcement message in response to a call setup to the called party. The announcement will be played by a machine/equipment, referred to

in Fig. 8 as "Remote CSCF/REP," which acknowledges the setup message with a connect message including, for example, its IP address and Port Number, i.e., the Remote Equipment TA, to thereby enable the CALLING MS to properly connect with it (see step 2 in Fig. 8). The CALLING MS then activates a secondary PDP Context which includes a TFT (Traffic Flow Template) allowing the machine to send traffic to the MS (Mobile Station). The TFT (Traffic Flow Template), for example, includes the Remote Equipment TA (e.g., its IP address and Port Number). This is covered by steps 3-7, in Fig. 8. The Mobile Station (MS) acknowledges, in step 8, the acceptance of the secondary PDP Context and, in step 9, the Remote Equipment plays the announcement to the MS (Mobile Station). To reiterate, in keeping with the present invention, for a calling MS to set up a call with a called party such as a peer station that wishes to respond with an announcement, the Remote Equipment machine designated by the called party to make such announcement provides its TA (transport address) to the calling MS (Mobile Station/Mobile Terminal). In turn, the Calling MS activates a secondary PDP Context (see step 3+ in Fig. 8) with a TFT (Traffic Flow Template) of the Remote Equipment to allow the Remote Equipment machine to announce the call to the calling MS (Mobile Station). It is submitted, such a scheme could not have been anticipated nor rendered obvious from the teachings of the references as applied in the outstanding rejections.

Kreppel teaches a scheme for promoting an interworking of Packet Data Service with network functions of a network. Fig 3 thereof shows message flow between network equipment with reference to the example of a pre-paid billing scheme by means of IN (Intelligent Network) function giving transmission of Packet Data according to the Packet Data Service (see column 1, line 67 et seq., column 2, lines 57-60 and col. 7, line 53, etc.).

It is submitted, however, the invention according to that set forth in each of independent claims 1 and 14 and, also, according to the corresponding dependent claims thereof, was neither disclosed nor suggested therefrom. For example, it is alleged that the set forth featured aspects "setting up a second level communication session ..." and "setting said second level communication session parameters in accordance with the transmitted identity ..." are featured by Kreppel. In accordance with the claimed subject matter, when the calling MS attempts to setup a call with a called party that wishes to respond with an announcement, the Remote Equipment Machine designated by the called party to make such an announcement provides its TA (Transport Address) to the calling party (MS). The calling party MS (or "first network element") activates a second level communication session such as a secondary PDP Context with a TFT (Traffic Flow Template) of the Remote Equipment to allow the Remote Equipment machine (e.g., Remote CSCF/REP in Fig. 8) to forward its announcement to the calling MS. As referred to above, the TFT (Traffic Flow Template) includes the Remote Equipment TA such as the IP Address and Port Number. With regard to setting up a second level communication session by the first network element, according to the present invention, the communication session parameters are in accordance with transmitted identity including initiating modification of communication channel parameters based on the identity of the second network element. It is submitted, Kreppel neither disclosed or suggested a communication technique as that discussed above and as specifically set forth in claims 1 and 14, and as further called for by the dependent claims thereof. Column 8, lines 41-46, and column 8, lines 53-56 of Kreppel, both of which were cited with regard to the above-referred to featured aspects according to claims 1 and 14, do not appear to support the technique according to claims 1+ and 14+ which call for, amongst other featured aspects thereof, "setting up a second level

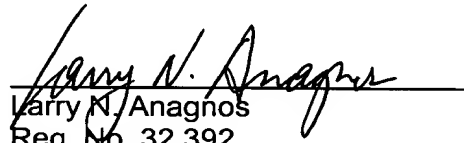
communication session ,,, ,," the "setting said second level communications session parameters ... including initiating modification of communication channel parameters based on identity of the second network element." For at least these reasons, the invention according to independent claims 1 and 14 and further according to the corresponding dependent claims thereof could not have been anticipated by Kreppel, nor, for that matter, rendered obvious therefrom, Kreppel applied individually or combinedly with Widegren et al. For the same and similar reasons therefor the invention according to claims 27 and 28-30 also could not have been anticipated by Kreppel nor rendered obvious over the combined teachings of Kreppel and Widegren et al.

Widegren et al was cited for their teaching, allegedly, of particular types of "transmitted identity" such as "Port Number" and "communication session parameters" in the form of "filtering information". Widegren et al's teachings notwithstanding, the invention would still not have been achievable even in view of the combined teachings of Kreppel and Widegren et al noting that Widegren et al does not overcome the deficiencies of Kreppel, insofar as the present claimed invention is concerned. It is submitted, also, there is no teaching therefrom that would have led one of ordinary skill to make the necessary modifications to achieve the present invention, without the prior knowledge of applicants' invention. It is submitted, for at least the above reasons, the invention could not have been achievable even over the combination of Kreppel in view of Widegren et al.

Therefore, in view of the amendments presented hereinabove, together with these accompanying remarks, reconsideration and withdrawal of the outstanding rejections as well as a favorable action on all of the presently pending claims, i.e., claims 1-30, and an early formal notification of allowability of the above-identified application is respectfully requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including Extension of Time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Dep. Acct. No. 01-2135 (0172.38541X00), and please credit any excess fees to such deposit account.

Respectfully submitted,
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